

II. Remarks

Claims 1-11 were pending in this application and have been rejected. The present amendment cancels claims 3 and 11, and amends claims 1, 5, 7 and 10 to correct minor typographical errors and to more particularly point out and clarify Applicants' invention. No new matter has been added by the present amendment. After this amendment, claims 1-2 and 4-10 will be pending.

Reconsideration of the application in view of the above amendments and following remarks is respectfully requested.

Claim Objection

Claim 10 has been amended to recite "according to claim 1". This amendment was in response to an objection that claim 10 recited "'according to claims 1" which is incorrect. Accordingly, Applicants believe that the amendment has cured the objection to claim 10.

Claim Rejections under 35 U.S.C. § 103

Claims 1-4, 7-8 and 10-11 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,349,964 issued to Acker, et al. ("Acker '964") and DE 4226954 issued to Berger ("Berger"). Claims 3 and 11 have been cancelled by the present amendment and therefore, the rejections of claims 3 and 11 are now

moot. In view of the amendments and remarks contained herein, Applicants respectfully submit that the rejections of claims 1-2, 4, 7-8 and 10 are traversed.

Claim 1 has been amended to recite that the air-bag is formed from two layers of fabric of substantially identical configuration. The two layers are interconnected by means of a peripheral seam that includes stitching. At least one insert is attached to each of the two layers by the peripheral seam and is positioned between the two layers of fabric to form the gusset. The gusset has two pointed ends that are disposed opposite of each other. Claim 7 has been amended to recite that the peripheries of the extra portions of the two fabric layers are interconnected together by means of a peripheral seam, which includes stitching, to form a gusset. The extra portions of both of the two layers of fabric are associated with the same inflatable region and the two layers of fabric are interconnected by the peripheral seam. Support for these amendments may be found in Applicants' application at paragraphs [0012], [0016] and [0047]-[0050].

Acker '964 discloses a gas airbag 18 having a first chamber 20, which is inflated to the side of the thorax of the occupant 10, and a second chamber 22, which is inflated to the side of the pelvis of the occupant 10. The two chambers 20 and 22 have different internal pressures and are completely separated from each other by a dividing seam 24. *Acker '964* at col. 3, lines 45-51 and Fig. 1. As noted by the Examiner, Acker '964 fails to disclose a gusset attached to two superimposed layers of fabric as recited in independent claims 1 and 7 of the present invention. Office action at pages 2-3.

Berger discloses a textile hollow structure for use as an airbag. The airbag is made as a one-piece-weaving (OPW) on a Jacquard machine. In particular, Berger

teaches that the airbag is required to be produced by avoiding stitching procedures, which would otherwise weigh heavily on the cost and time of production. The shape of the airbag is formed by continuously weaving various layers and gussets including controlling the associated warp threads from the layers and gussets to merge the layers and gussets together as a common one-piece-weaving. *Berger* at Abstract, Col. 1, lines 29-41, Col. 2, lines 15-30 and claim 1. Notably, the gussets are not attached to the other surrounding layers of textile via a seam or stitching.

This is unlike Applicants' invention as recited in claim 1 where the two layers of fabric are interconnected by means of a peripheral seam including stitching and at least one insert is attached to each of the two layers by the peripheral seam to form the gusset. Moreover, *Berger* is unlike Applicants' invention as recited claim 7 where the peripheries of the extra portions of the two fabric layers are interconnected together by means of a peripheral seam including stitching to form a gusset, and the two layers of fabric are interconnected by the peripheral seam. Thus, the combination of Acker '964 and *Berger* do not disclose, teach or suggested the present inventions as recited in independent claims 1 and 7. Accordingly, Applicants believe that claims 1 and 7, and their dependent claims 2, 4, 8 and 10 are in a condition for allowance.

Claims 5-6 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Acker '964 and *Berger*, and further in view of U.S. Patent No. 5,603,526 issued to Buchanan ("Buchanan"). In view of the amendments and remarks contained herein, Applicants respectfully submit that the rejections of claims 5-6 are traversed.

Since claims 5 and 6 depend from claim 1 and since Buchanan fails to disclose two layers of fabric interconnected by means of a peripheral seam including stitching

and at least one insert is attached to each of the two layers by the peripheral seam to form a gusset, the combination of Acker '964, Berger and Buchanan cannot render the claims of the present invention as obvious. The rejections under §103(a) are therefore improper and should be withdrawn. Accordingly, Applicants believe that claims 5-6 are in a condition for allowance.

Claim 9 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Acker '964 and Berger, and further in view of U.S. Patent No. 5,803,485 issued to Acker, et al. ("Acker '485"). In view of the amendments and remarks contained herein, Applicants respectfully submit that the rejection of claim 9 is traversed.

Since claim 9 depend from claim 7 and since Acker '485 fails to disclose peripheries of extra portions of two fabric layers, which form an airbag, being interconnected together by means of a peripheral seam including stitching to form a gusset, and the two layers of fabric are interconnected by the peripheral seam, the combination of Acker '964, Berger and Acker '485 cannot render the claim of the present invention as obvious. The rejections under §103(a) is therefore improper and should be withdrawn. Accordingly, Applicants believe that claim 9 is in a condition for allowance.

Conclusion

In view of the above amendments and remarks, it is respectfully submitted that the present form of the claims are patentably distinguishable over the art of record and that this application is now in condition for allowance. Such action is requested.

Respectfully submitted,

Dated: August 28, 2009

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